

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Jesus Santiago,

Plaintiff,

-against-

BRIAN FISCHER, Commissioner of the
New York State Department of Corrections, et al.,

Defendants.
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:
: **DECLARATION OF**
: **MICHAEL J. KEANE**
:
:

: 12 Civ 2137
: (KAM)(MDG)
:

: ECF CASE
:
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MICHAEL J. KEANE, pursuant to 28 U.S.C. Section 1746, declares under penalty of perjury as follows:


1. I am an Assistant Attorney General who represents Defendants in this action.
2. Attached hereto as Exhibit A is a copy of the July 2008 Memorandum of Understanding between the New York State Office of Court Administration ("OCA") and DOCS and Parole.
3. Attached hereto as Exhibit B is a copy of the Complaint for Declaratory Judgment, dated June 4, 2008, filed in the Supreme Court of the State of New York, County of Albany, in an action captioned The State of New York, The New York State Department of Correctional Services, and The New York State Division of Parole v. Michael Myers, Roger Smalls, Jesus Negron, and Malcolm Carter, individually and on behalf of all others similarly situated (Index No. 4834/08).
4. Attached hereto as Exhibit C is a copy of the Declaration of Anthony J. Annucci,

dated May 8, 2015, submitted in Betances v. Fischer, Southern District of New York Civil Case Number 11-Civ-3200.

5. Attached hereto as Exhibit D is a copy of the Declaration of Richard deSimone, dated May 8, 2015, submitted in Betances v. Fischer, Southern District of New York Civil Case Number 11-Civ-3200.
6. Attached hereto as Exhibit E is the Affirmation of Anthony J. Annucci, dated June 4, 2008, and filed in the Supreme Court of the State of New York, County of Albany, in an action captioned The State of New York, The New York State Department of Correctional Services, and The New York State Division of Parole v. Michael Myers, Roger Smalls, Jesus Negron, and Malcolm Carter, individually and on behalf of all others similarly situated (Index No. 4834/08).
7. Attached hereto as Exhibit F is a copy of the Affirmation of Terrence X. Tracy, dated June 4, 2008, and filed in the Supreme Court of the State of New York, County of Albany, in an action captioned The State of New York, The New York State Department of Correctional Services, and The New York State Division of Parole v. Michael Myers, Roger Smalls, Jesus Negron, and Malcolm Carter, individually and on behalf of all others similarly situated (Index No. 4834/08).
8. Attached hereto as Exhibit G is a copy of the Transcript of the Preliminary Injunction Hearing dated June 20, 2008, in an action captioned The State of New York, The New York State Department of Correctional Services, and The New York State Division of Parole v. Michael Myers, Roger Smalls, Jesus Negron, and Malcolm Carter, individually and on behalf of all others similarly situated (Index No. 4834/08).

9. Attached hereto as Exhibit H is a copy of the Declaration of Anthony J. Annucci, dated July 18, 2011, filed in Earley v. Annucci, et al., in the Northern District of New York, Docket No. 08-Civ. 669.

Dated: New York, New York
June 5, 2015



Michael J. Keane